Attorney Docket No.: 10.0882 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)) Kenneth M. MAXHAM Application No.) 10/037,085 Filing Date December 20, 2001) Title) SYSTEM AND METHOD FOR SELECTING THE PLACEMENT OF OPTICAL AMPLIFIERS IN AN OPTICAL NETWORK Christina Y. Leung Examiner) Art Unit 2613) Confirmation No. 5909)

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 USA

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

In response to the final Office Action mailed July 11, 2007, allowing Claims 1-14 and 28 and rejecting Claims 15-27 and 29-35 of the above-referenced Application, in which Claims 1-35 are pending, Applicant respectfully requests that the following amendments be entered and remarks be considered. In view of these amendments and remarks, Applicant submits that the Application is now in condition for allowance, without further search, and respectfully requests such action.

AMENDMENT - AFTER FINAL REJECTION is on page 1

CLAIMS are on pages 2–14

APPLICANT ARGUMENTS/REMARKS MADE IN AN AMENDMENT are on pages 15–18